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Dated: October 1, 2009  
Electronic Signature for James E. Armstrong, IV: /James E. Armstrong, IV/

Docket No.: 80179(305882)  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Kanako Suzuki et al.

Application No.: 10/505,171

Confirmation No.: 5261

Filed: August 31, 2004

Art Unit: 1636

For: MODIFIED PROMOTER

Examiner: C. S. Hibbert

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS  
FOR PATENT APPLICATION CONTAINING NUCLEOTIDE  
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

MS Sequence  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir/Madam:

This is in response to the Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, dated September 1, 2009. Applicants are submitting their response herewith within the one response period set to expire on October 1, 2009.

The U.S. Patent and Trademark Office has taken the position that the previous "Sequence Listing" in computer readable form did not comply with the requirements of Section 1.824 for the stated reason that it contained several raw sequence listing errors. Submitted herewith in connection with the above-referenced patent application is a substitute, computer readable copy of the Sequence Listing that corrects the defects noted in the raw sequence listing. No new matter has been added to the substitute Sequence Listing.

Applicants respectfully request the above-referenced patent application be placed upon the files for examination.

Dated: October 1, 2009

Customer No. 21874

Respectfully submitted,  
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